

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYSON and MELINDA SU SHELL,)	CASE NO. 8:08CV260
Personal Representatives of the)	
Estate of HAYDEN SHELL, Deceased,)	
)	
Plaintiffs,)	ORDER &
)	FINAL JUDGMENT
v.)	
)	
DEBRA L. SUDAN, M.D.,)	
AMY DUHACEK-STAPELMAN, M.D.,)	
SASHA SHILLCUTT, M.D.,)	
NEBRASKA MEDICAL CENTER, and)	
DOES 1-5,)	
)	
Defendants.)	

This matter is before the Court on the Motion to Dismiss (Filing No. 141) filed by Plaintiffs Tyson and Melinda Su Shell, personal representatives of the Estate of Hayden Shell, deceased. Under Federal Rule of Civil Procedure 41(a)(1) the Court finds the motion should be granted and the action should be dismissed, with prejudice. Further, the parties will bear their own costs and attorney fees.

IT IS ORDERED:

1. Plaintiff's Motion to Dismiss (Filing No. 141) is granted;
2. This case is dismissed with prejudice; and
3. The parties will bear their own costs and attorney fees.

DATED this 10th day of September, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge